

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KIRK D. ROBINSON,

Petitioner,

vs.

TAGGART BOYD, Warden of RTC; and
ROB JEFFREYS, Director of Corrections,
Nebraska;

Respondents.

8:22CV412

ORDER

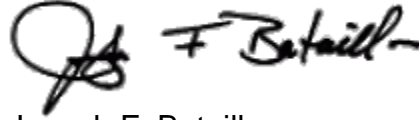
This matter is before the Court on the Court's own motion. This matter was dismissed with prejudice on November 3, 2023, and Petitioner Kirk D. Robinson ("Robinson") filed a notice of appeal in this Court on November 17, 2023, [Filing No. 53](#), and the Eighth Circuit Court of Appeals forwarded what it construed as another notice of appeal filed in that Court on November 13, 2023, [Filing No. 58](#). Robinson has also filed motions to proceed in forma pauperis on appeal and for the appointment of counsel. [Filing No. 54](#); [Filing No. 55](#). On November 15, 2023, Robinson named the undersigned as a defendant in his amended complaint in Case No. 8:23CV452, [Filing No. 6](#), and the undersigned has recused himself in that matter pursuant to [28 U.S.C. § 455\(b\)\(5\)](#) (any judge of the United States "shall . . . disqualify himself . . . [where] [h]e . . . [i]s a party to the proceeding"). [Filing No. 8](#), Case No. 8:23CV452.

Under these circumstances and because his impartiality might reasonably be questioned, the undersigned shall, and hereby does, recuse himself from this matter pursuant to [28 U.S.C. § 455\(a\)](#).

SO ORDERED.

Dated this 5th day of December, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large, circular initial "J" and a long horizontal stroke extending to the right.

Joseph F. Bataillon
Senior United States District Judge